

DISPOSITION: 1-18-60. Default—destruction.

26258. Bibb lettuce. (F.D.C. No. 44020. S. No. 71-444 P.)

QUANTITY: 100 5-lb. baskets at Cincinnati, Ohio.

SHIPPED: 12-26-59 and 12-27-59, from Terre Haute, Ind., by J. W. Davis Co.

LABEL IN PART: (Lid) "Bibb Lettuce * * * J. W. Davis Co. Terre Haute, Ind."

LIBELED: 1-4-60, S. Dist. Ohio.

CHARGE: 402(a)(2)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, namely, pentachloro nitrobenzene, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on lettuce has been prescribed by regulations.

DISPOSITION: 1-4-60. Default—destruction.

26259. Diced red peppers. (F.D.C. No. 43825. S. No. 73-911 P.)

QUANTITY: 132 6-lb. 6-oz cans at Houston, Tex.

SHIPPED: 9-25-59, from Orinda, Calif.

LABEL IN PART: (Can) "Monarch Diced Sweet Red Peppers * * * Consolidated Foods Corporation * * * Chicago."

RESULTS OF INVESTIGATION: Inspection of the Giambanco Wine Vinegar Co., Oakdale, Calif., the packer of the article, showed that insanitary conditions existed in its plant.

LIBELED: 11-24-59, S. Dist. Tex.

CHARGE: 402(a)(3)—contained maggots; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 2-16-60. Default—destruction.

26260. Sweet mixed peppers. (F.D.C. No. 43912. S. No. 85-534 P.)

QUANTITY: 48 cases, 12 1-quart jars each, at Brooklyn, N.Y.

SHIPPED: 10-20-59, from Milford, Del., by Milford Packing Co.

LIBELED: 12-14-59, E. Dist. N.Y.

CHARGE: 402(a)(3)—when shipped, the article contained insects and insect parts; 403(e)—the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of contents; and 403(i)—it failed to bear (1) the common or usual name of the food, and (2) the common or usual name of each ingredient.

DISPOSITION: 1-15-60. Default—destruction.

26261. Sauerkraut. (F.D.C. No. 43796. S. No. 68-079 P.)

QUANTITY: 115 cases, 12 2-lb. pkgs. each, at Plymouth, Pa.

SHIPPED: 10-16-59, from North Norwich, N.Y., by Rea-D-Pack Foods, Inc.

LABEL IN PART: (Pkg.) "Willie's Home Style Sauerkraut * * * Rea-D-Pack Foods, N. Norwich, N.Y."

LIBELED: 11-5-59, M. Dist. Pa.

CHARGE: 402(a)(3)—contained insects, insect fragments, fly eggs, and maggots; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 12-11-59. Default—destruction.

26262. Dried pinto beans. (F.D.C. No. 43993. S. No. 78-286 P.)

QUANTITY: 33 25-lb. bags at Port Huron, Mich.

SHIPPED: 10-16-59, from Hagerstown, Md.

LIBELED: 12-14-59, E. Dist. Mich.

CHARGE: 402(a)(3)—contained insects, insect webbing, and insect excreta while held for sale.

DISPOSITION: 2-12-60 and 2-24-60. Default—delivered to a public institution for use as animal feed.

26263. Dried black-eyed peas and dried lima beans. (F.D.C. No. 44182. S. Nos. 75-656/8 P.)

QUANTITY: 2 100-lb. bags of black-eyed peas, and 31 100-lb. bags of lima beans, at Little Rock, Ark.

SHIPPED: 7-16-59, from North Kansas City, Mo.

LIBELED: 1-15-60, E. Dist. Ark.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 2-9-60. Default—delivered to a public institution for use as animal feed.

26264. Dried black-eyed peas, dried lima beans, and dried red beans. (F.D.C. No. 43853. S. Nos. 53-989/91 P.)

QUANTITY: 261 100-lb. bags of black-eyed peas, 26 100-lb. bags of lima beans, and 8 100-lb. bags of red beans, at Johnson, Ark., in possession of Forrest Park Canning Co.

SHIPPED: Between 2-5-59 and 9-23-59, from Turlock, Calif. and North Kansas City, Mo.

LIBELED: 12-2-59, W. Dist. Ark.

CHARGE: 402(a)(3)—contained rodent excreta pellets and rodent urine; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 1-15-60. Consent—claimed by Forrest Park Canning Co. Segregated; 8,020 lbs. of black-eyed peas, 2,600 lbs. of lima beans, and 800 lbs. of red beans destroyed.

26265. Dried lima beans and dried black-eyed peas. (F.D.C. No. 43916. S. Nos. 69-701/3 P.)

QUANTITY: 229 100-lb. bags of lima beans, and 21 100-lb. bags of black-eyed peas, at Philadelphia, Pa.

SHIPPED: Between 1-1-59, and 3-26-59, from Oxnard, Calif.

LIBELED: 11-13-59, E. Dist. Pa.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 11-23-59. Consent—claimed by E. W. Mills Co., Philadelphia, Pa., cleaned and reconditioned to bring into compliance with the law.

26266. Dried mung beans. (F.D.C. No. 43985. S. Nos. 80-625/6 P.)

QUANTITY: 148 101-lb. bags and 96 110-lb. bags at Detroit, Mich.

SHIPPED: 1-23-57 and 9-30-59, from New York, N.Y.

LIBELED: 12-14-59, E. Dist. Mich.